

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE FOREIGN EXCHANGE  
BENCHMARK RATES ANTITRUST  
LITIGATION

No. 1:13-cv-07789-LGS

**CLASS PLAINTIFFS' NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF  
SETTLEMENT AGREEMENTS WITH THE BANK OF TOKYO-MITSUBISHI UFJ,  
LTD., MORGAN STANLEY, MORGAN STANLEY & CO., LLC, MORGAN STANLEY  
& CO. INTERNATIONAL PLC, RBC CAPITAL MARKETS, LLC, SOCIÉTÉ  
GÉNÉRALE, AND STANDARD CHARTERED BANK**

**TO: ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD**

**PLEASE TAKE NOTICE** that, at a time and date to be set by the Court, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, in the Courtroom of the Honorable Lorna G. Schofield, Aureus Currency Fund, L.P.; the City of Philadelphia, Board of Pensions and Retirement; Employees' Retirement System of the Government of the Virgin Islands; Employees' Retirement System of Puerto Rico Electric Power Authority; Fresno County Employees' Retirement Association; Haverhill Retirement System; Oklahoma Firefighters Pension and Retirement System; State-Boston Retirement System; Syena Global Emerging Markets Fund, LP; Systrax Corporation; Tiberius OC Fund, Ltd.; United Food and Commercial Workers Union and Participating Food Industry Employers Tri-State Pension Fund; Value Recovery Fund L.L.C.; J. Paul Antonello, Marc G. Federighi, Thomas Gramatis, Doug Harvey, Izee Trading Company, John Kerstein, Michael Melissinos, Mark Miller, Robert Miller, Richard Preschern d/b/a Preschern Trading, Peter Rives, Michael S. Smith, Jeffrey Sterk,

and Kimberly Sterk (collectively, “Class Plaintiffs”) will, and hereby do, move the Court, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, for entry of an Order:

- (1) preliminarily approving the proposed settlements (“Settlement Agreements”) with The Bank of Tokyo-Misubishi UFJ, Ltd., (“BTMU”); Morgan Stanley, Morgan Stanley & Co., LLC, Morgan Stanley & Co. International Plc (“Morgan Stanley”); RBC Capital Markets, LLC (“RBC”); Société Générale (“Soc Gen”), and Standard Chartered Bank (“Standard Chartered”);
- (2) certifying the class for settlement purposes;
- (3) appointing Christopher M. Burke of Scott+Scott, Attorneys at Law, LLP and Michael D. Hausfeld of Hausfeld LLP as settlement class counsel;
- (4) appointing Class Plaintiffs as class representatives for settlement purposes;
- (5) approving Huntington National Bank as Escrow Agent;
- (6) approving Garden City Group as Claims Administrator;
- (7) approving Kenneth R. Feinberg as Settlement Administrator; and
- (8) staying all proceedings in the Action with respect to the Settling Defendants until further order of the Court, except as may be necessary to implement the settlements set forth in the Settlement Agreements or comply with the terms thereof.

Submitted herewith in support of the Motion are the:

- (1) Class Plaintiffs’ Memorandum of Law in Support of Motion for Preliminary Approval Settlement Agreements with BTMU, Morgan Stanley, RBC, Soc Gen, and Standard Chartered;

- (2) Declaration of Christopher M. Burke and Michael D. Hausfeld in Support of Class Plaintiffs' Motion for Preliminary Approval of Settlement Agreements with BTMU, Morgan Stanley, RBC, Soc Gen, and Standard Chartered and exhibits thereto;
- (3) Declaration of Kenneth R. Feinberg in Support of Class Plaintiffs' Motion for Preliminary Approval of Settlement Agreements with BTMU, Morgan Stanley, RBC, Soc Gen, and Standard Chartered; and
- (4) [Proposed] Order Preliminarily Approving Settlements, Conditionally Certifying the Settlement Classes, and Appointing Class Counsel and Class Representatives for the Settlement Classes.

DATED: July 28, 2017

HAUSFELD LLP

/s/ Michael D. Hausfeld

MICHAEL D. HAUSFELD  
REENA A. GAMBHIR  
TIMOTHY S. KEARNS  
NATHANIEL C. GIDDINGS  
SARAH R. LAFRENIERE  
1700 K Street, NW, Suite 650  
Washington, DC 20006  
Telephone: 202-540-7200  
Facsimile: 202-540-7201  
mhausfeld@hausfeld.com  
rgambhir@hausfeld.com  
tkearns@hausfeld.com  
ngiddings@hausfeld.com  
slafreniere@hausfeld.com

-and-

HAUSFELD LLP  
MICHAEL P. LEHMANN  
BONNY E. SWEENEY  
CHRISTOPHER L. LEBSOCK

SCOTT+SCOTT, ATTORNEYS AT LAW, LLP

/s/ Christopher M. Burke

CHRISTOPHER M. BURKE (CB-3648)  
WALTER W. NOSS (WN-0529)  
KRISTEN M. ANDERSON (*pro hac vice*)  
STEPHANIE A. HACKETT (*pro hac vice*)  
JENNIFER J. SCOTT (*pro hac vice*)  
707 Broadway, Suite 1000  
San Diego, CA 92101  
Telephone: 619-233-4565  
Facsimile: 619-233-0508  
cburke@scott-scott.com  
wnoss@scott-scott.com  
kanderson@scott-scott.com  
shackett@scott.scott.com

-and-

SCOTT+SCOTT, ATTORNEYS AT LAW, LLP  
DAVID R. SCOTT (DS-8053)  
JOSEPH P. GUGLIELMO (JG-2447)  
DONALD A. BROGGI (DB-9661)  
PETER A. BARILE III (PB-3354)

600 Montgomery Street, Suite 3200  
San Francisco, CA 94111  
Telephone: 415-633-1908  
Facsimile: 415-358-4980  
mlehmman@hausfeld.com  
bsweeney@hausfeld.com  
clebsock@hausfeld.com

SYLVIA SOKOL (SS-0317)  
THOMAS K. BOARDMAN (TB-0530)  
The Helmsley Building  
230 Park Avenue, 17th Floor  
New York, NY 10169  
Telephone: 212-223-6444  
Facsimile: 212-223-6334  
david.scott@scott-scott.com  
jguglielmo@scott-scott.com  
ssokol@scott-scott.com  
tboardman@scott-scott.com

***Interim Co-Lead Counsel***

OBERMAYER REBMANN  
MAXWELL & HIPPEL LLP  
WILLIAM J. LEONARD (*pro hac*  
*vice*)  
RIGEL FARR (*pro hac vice*)  
One Penn Center, 19th Floor  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1895  
Telephone: 215-665-3000  
Facsimile: 215-665-3165  
william.leonard@obermayer.com  
rigel.farr@obermayer.com

-and-

BONI & ZACK LLC  
MICHAEL J. BONI (*pro hac vice*)  
JOSHUA D. SNYDER (*pro hac vice*)  
15 St. Asaphs Rd.  
Bala Cynwyd, PA 19004  
Telephone: 610-822-0200  
Facsimile: 610-822-0206  
mboni@bonizack.com  
jsnyder@bonizack.com

*Counsel for Plaintiff the City of  
Philadelphia, Board of Pensions and  
Retirement*

KOREIN TILLERY, LLC  
STEPHEN M. TILLERY (*pro hac vice*)  
ROBERT L. KING (*pro hac vice*)  
AARON M. ZIGLER (*pro hac vice*)  
STEVEN M. BEREZNEY (*pro hac vice*)  
One U.S. Bank Plaza  
505 N. 7th Street, Suite 3600  
Saint Louis, MO 63101-1612  
Telephone: 314-241-4844  
Facsimile: 314-241-3525  
stillery@koreintillery.com  
rking@koreintillery.com  
azigler@koreintillery.com  
sberezney@koreintillery.com

-and-

KOREIN TILLERY, LLC  
GEORGE A. ZELCS (*pro hac vice*)  
205 N Michigan Ave, Suite 1950  
Chicago, IL 60601-5927  
Telephone: 312-641-9750  
Facsimile: 312-641-9751  
gzelcs@koreintillery.com

*Counsel for Plaintiffs Haverhill Retirement System  
and Oklahoma Firefighters Pension and Retirement  
System, Robert Miller, Mark Miller, and Peter  
Rives*

WOLF POPPER LLP  
MARIAN R. ROSNER  
PATRICIA I. AVERY  
FEI-LU QIAN  
845 Third Avenue, 12th Floor  
New York, New York 10022  
Telephone: 212-759-4600  
Facsimile: 212-486-2093  
mrosner@wolfdpopper.com  
pavery@wolfdpopper.com  
fqian@wolfdpopper.com

*Counsel for Plaintiff Employees' Retirement System of Puerto Rico Electric Power Authority*

LABATON SUCHAROW LLP  
GREGORY S. ASCIOLLA  
JAY L. HIMES  
ROBIN A. VAN DER MEULEN  
MATTHEW J. PEREZ  
140 Broadway  
New York, NY 10005  
Telephone: 212-907-0700  
Facsimile: 212-818-0477  
gasciolla@labaton.com  
jhimes@labaton.com  
rvandermeulen@labaton.com  
mperez@labaton.com

*Counsel for Plaintiff State-Boston Retirement System, Marc G. Federighi, and Michael J. Smith*

GRANT & EISENHOFER, P.A.  
ROBERT G. EISLER  
123 Justison Street  
Wilmington, DE 19801  
Telephone: 302-622-7030  
Facsimile: 302-622-7100  
reisler@gelaw.com

*Counsel for Plaintiff Syena Global Emerging Markets Fund, LP*

ROBBINS GELLER RUDMAN & DOWD LLP  
PATRICK J. COUGHLIN  
DAVID W. MITCHELL  
BRIAN O. O'MARA  
655 West Broadway, Suite 1900  
San Diego, CA 92101  
Telephone: 619-231-1058  
patc@rgrdlaw.com  
davidm@rgrdlaw.com  
bomara@rgrdlaw.com

*Counsel for Plaintiff Employees' Retirement System of the Government of the Virgin Islands*

BERMAN DeVALERIO  
JOSEPH J. TABACCO, JR. (JJT-1994)  
TODD A. SEAVER (*pro hac vice*)  
SARAH KHORASANEE MCGRATH (*pro hac vice*)  
JESSICA MOY (*pro hac vice*)  
One California Street, Suite 900  
San Francisco, CA 94111  
Telephone: 415-433-3200  
Facsimile: 415-433-6382  
jtabacco@bermandevalerio.com  
tseaver@bermandevalerio.com  
smcgrath@bermandevalerio.com  
jmoy@bermandevalerio.com

*Counsel for Plaintiff Fresno County Employees' Retirement Association*

CRIDEN & LOVE, P.A.  
MICHAEL E. CRIDEN  
LINDSEY C. GROSSMAN  
7301 SW 57th Court, Suite 515  
South Miami, FL 33143  
Telephone: 305-357-9000  
Facsimile: 305-357-9050  
mcriden@cridenlove.com  
lgrossman@cridenlove.com

*Counsel for Plaintiffs J. Paul Antonello, Marc G. Federighi and Michael J. Smith*

ENTWISTLE & CAPPUCCI LLP  
ANDREW J. ENTWISTLE  
VINCENT R. CAPPUCCI  
ROBERT N. CAPPUCCI  
280 Park Avenue, 26th Floor West  
New York, NY 10017  
Telephone: 212-894-7200  
Facsimile: 212-894-7272  
aentwistle@entwistle-law.com  
vcappucci@entwistle-law.com  
rcappucci@entwistle-law.com

*Counsel for Plaintiffs Tiberius OC  
Fund, Ltd. and Value Recovery Fund  
L.L.C.*

RADICE LAW FIRM, P.C.  
JOHN RADICE  
KENNETH PICKLE  
34 Sunset Blvd.  
Long Beach, NJ 08008  
Telephone: 646-245-8502  
Facsimile: 609-385-0745  
jradice@radicelawfirm.com  
kpickle@radicelawfirm.com

*Counsel for Plaintiffs Doug Harvey,  
Izee Trading Company, and Richard  
Preschern d/b/a Preschern  
Trading*

CERA LLP  
SOLOMON B. CERA  
C. ANDREW DIRKSEN  
595 Market Street, Suite 2300  
San Francisco, CA 94105  
Telephone: 415-777-2230  
Facsimile: 415-777-5189  
scera@cerallp.com  
cdirkсен@cerallp.com

*Counsel for Plaintiff Aureus  
Currency Fund L.P.*

LOWEY DANNENBERG, P.C.  
VINCENT BRIGANTI  
GEOFFREY M. HORN  
PETER D. ST. PHILLIP  
RAYMOND P. GIRNYS  
One North Broadway  
White Plains, NY 10601  
Telephone: 914-997-0500  
Facsimile: 914-997-0035  
vbriganti@lowey.com  
ghorn@lowey.com  
pstphillip@lowey.com  
rgirnys@lowey.com

-and-

LOWEY DANNENBERG, P.C.  
GERALD LAWRENCE, ESQ.  
Four Tower Bridge  
200 Barr Harbor Drive, Suite 400  
West Conshohocken, PA 19428  
Telephone: 610-941-2760  
Facsimile: 610-862-9777  
glawrence@lowey.com

-and-

SHEPHERD FINKELMAN  
MILLER & SHAH, LLP  
ERIC. L. YOUNG  
NATALIE FINKELMAN BENNETT  
35 East State Street  
Media, PA 19063  
Telephone: 610-891-9880  
Facsimile: 866-300-7367  
eyoung@sfmslaw.com  
nfinkelman@sfmslaw.com

-and-

SHEPHERD FINKELMAN  
MILLER & SHAH, LLP  
JAMES E. MILLER  
65 Main Street  
Chester, CT 06412  
Telephone: 860-526-1100

FREED KANNER LONDON &  
MILLEN LLC  
MICHAEL J. FREED  
STEVEN A. KANNER  
2201 Waukegan Road, Suite 130  
Bannockburn, Illinois 60015  
Telephone: 224-632-4500  
Facsimile: 224-632-4521  
mfreed@fklmlaw.com  
skanner@fklmlaw.com

*Counsel for Plaintiffs Thomas  
Gramatis and John Kerstein*

NUSSBAUM LAW GROUP, P.C.  
LINDA P NUSSBAUM  
1211 Avenue of the Americas  
New York, NY, 10036  
Telephone: 917-438-9102  
lnussbaum@nussbaumpc.com

*Counsel for Plaintiffs Jeffrey Sterk,  
Kimberly Sterk, and Michael  
Melissinos*

THE MOGIN LAW FIRM, P.C.  
DANIEL J. MOGIN  
JODIE M. WILLIAMS  
707 Broadway, Suite 1000  
San Diego, CA 92101  
Telephone: 619-687-6611  
Facsimile: 619-687-6610  
dmogin@moginlaw.com  
jwilliams@moginlaw.com

-and-

STEYER, LOWENTHAL,  
BOODROOKAS  
ALVAREZ & SMITH LLP  
ALLAN STEYER  
JAYNE PEETERS  
One California Street, Third Floor  
San Francisco, CA 94111  
Telephone: 415-421-3400  
Facsimile: 415-421-2234

Facsimile: 860-526-1120  
jmiller@sfmslaw.com

-and-

RADICE LAW FIRM, P.C.  
JOHN RADICE  
KENNETH PICKLE  
34 Sunset Blvd.  
Long Beach, NJ 08008  
Telephone: 646-245-8502  
Facsimile: 609-385-0745  
jradice@radicelawfirm.com  
kpickle@radicelawfirm.com

-and-

MANDEL BHANDARI LLP  
RISHI BHANDARI  
EVAN MANDEL  
80 Pine Street, 33rd Floor  
New York, NY 10005  
Telephone: 212-269-5600  
Facsimile: 646-964-6667  
rb@mandelbhandari.com  
em@mandelbhandari.com

*Counsel for Plaintiff United Food and Commercial  
Workers Union and Participating Food Industry  
Employers Tri-State Pension Fund*

FINE, KAPLAN AND BLACK, R.P.C.  
ROBERTA D. LIEBENBERG  
ADAM PESSIN  
One South Broad St., Suite 2300  
Philadelphia, PA 19107  
Telephone: 215-567-6565  
Facsimile: 215-568-5872  
rliebenberg@finekaplan.com  
apessin@finekaplan.com

-and-

asteyer@steyerlaw.com  
jpeeters@steyerlaw.com

*Counsel for Plaintiffs Haverhill  
Retirement System and Oklahoma  
Firefighters Pension and Retirement  
System*

MOTLEY RICE LLC  
WILLIAM H. NARWOLD  
DONALD A. MIGLIORI  
MICHAEL M. BUCHMAN  
JOHN A. IOANNOU  
600 Third Avenue, Suite 2101  
New York, NY 10016  
Telephone: 212-577-0040  
Facsimile: 212-577-0054  
bnarwold@motleyrice.com  
dmigliori@motleyrice.com  
mbuchman@motleyrice.com  
jioannou@motleyrice.com

-and-

MILLER LAW LLC  
MARVIN A. MILLER  
MATTHEW VAN TINE  
115 S. LaSalle St., Suite 2101  
Chicago, IL 60603  
Telephone: 312-322-3400  
Facsimile: 312-676-2676  
mmiller@millerlawllc.com  
mvantine@millerlawllc.com

*Of Counsel for Plaintiffs*



**CERTIFICATE OF SERVICE**

I hereby certify that on July 28, 2017, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List, and I hereby certify that I caused the foregoing document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on July 28, 2017

/s/ Michael D. Hausfeld

MICHAEL D. HAUSFELD

HAUSFELD LLP

1700 K Street, Suite 650

Washington, DC 20006

Telephone: 202-540-7200

Facsimile: 202-540-7201

Email: mhausfeld@hausfeld.com